

**AMENDMENT TRANSMITTAL LETTER****After Final Rejection**Application No.
09/892,061Filing Date
June 26, 2001Examiner
W. H. BeisnerGroup Art Unit
1797

Applicant(s): Nicholas Bachur, Jr., Patrick S. Beaty, and Timothy G. Foley

Docket No.
BECTON 3.0-019

Invention: SYSTEM AND METHOD FOR OPTICALLY MONITORING THE CONCENTRATION OF A GAS, OR THE PRESSURE, IN A SAMPLE VIAL TO DETECT SAMPLE GROWTH

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

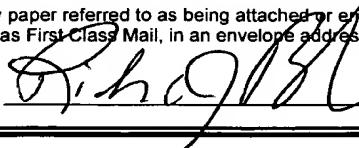
CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	3	- 62 =	0	x 50.00	0.00
Independent Claims	1	- 4 =	0	x 210.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

 Large Entity Small Entity No additional fee is required for this amendment. Please charge Deposit Account No. _____ in the amount of _____.
A duplicate copy of this sheet is enclosed. A check in the amount of \$ _____ to cover the filing fee is enclosed. The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed. Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.
Richard J. Botos
Attorney Reg. No. 32,016Dated: May 12, 2008LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000

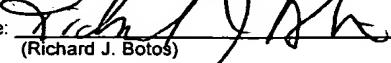
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 12, 2008

Signature:  (Richard J. Botos)



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 12, 2008 Signature: 
(Richard J. Botos)

EXPEDITED PROCEDURE
Group Art Unit: 1744
Docket No.: BECTON 3.0-019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: :
Bachur et al. :
Application No.: 09/892,061 : Group Art Unit: 1744
Filed: June 26, 2001 : Examiner: W. H. Beisner
For: SYSTEM AND METHOD FOR OPTICALLY :
MONITORING THE CONCENTRATION OF :
A GAS, OR THE PRESSURE, IN A :
SAMPLE VIAL TO DETECT SAMPLE :
GROWTH :
:

AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated February 11, 2008, finally rejecting claims 113-115 and 119-122, please amend the above-identified U.S. patent application as follows: